

28 March 2024

Our Ref: SWLC.LPC.2472

Planning Department
Cotswold District Council
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

Dear Sir / Madam,

Town and Country Planning Act 1990
March House, 7 Charlton Down, Tetbury, Gloucestershire, GL8 8TZ
Proposed Installation of Ground Mounted Solar Photovoltaic (PV) Panels

I am instructed by Mr and Mrs Saxton of March House, 7 Charlton Down, Tetbury, Gloucestershire, GL8 8TZ to submit a householder application seeking planning permission for the installation of solar panels within the residential curtilage of the dwellinghouse.

This letter is submitted in support of the application; it provides an overview of the site and proposed development before outlining the planning policy context and an assessment of the key material planning considerations, demonstrating the proposal's acceptability.

The Application Site

The application property March House, is one of several dwellings that make up Charlton Down, a hamlet within the Parish of Tetbury Upton. The residential property accommodates a relatively large detached house that lies adjacent to the open countryside in a row of five houses. The land to the front of the dwelling accommodates a garage and is used as a parking and turning area. The application site comprises garden land within the residential curtilage to the rear of the dwelling. The property lies within the Cotswolds National Landscape.

Planning History

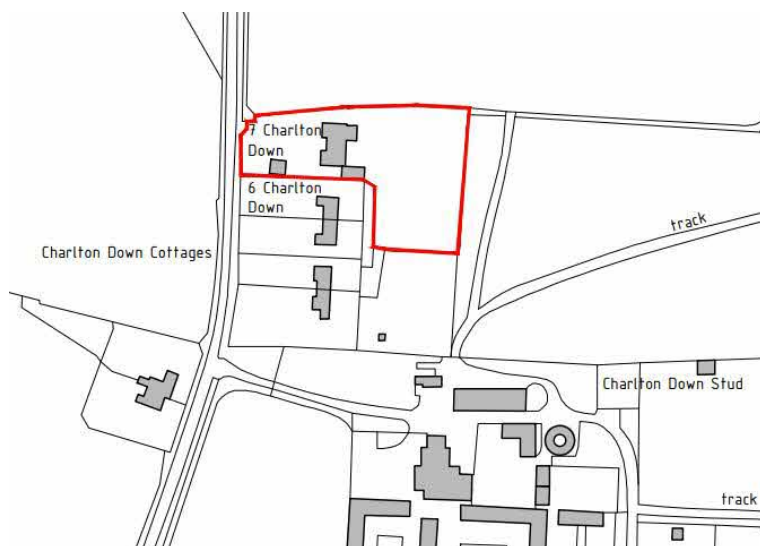
The Council's website has details of 24 previous applications at, or associated with, the property. The following are the most recent and / or relevant to the assessment of the development currently proposed:-

21/01224/FUL - Extension to garage to provide biomass boiler store –
Granted 22 April 2021

20/00146/CLEUD - Certificate of Lawful Existing Use or Development under Section 191 of the Town and Country Planning Act 1990 for use as Residential Garden Land – Granted 17 April 2020

19/02723/FUL - Erection of pool house to rear – Granted 17 September 2019

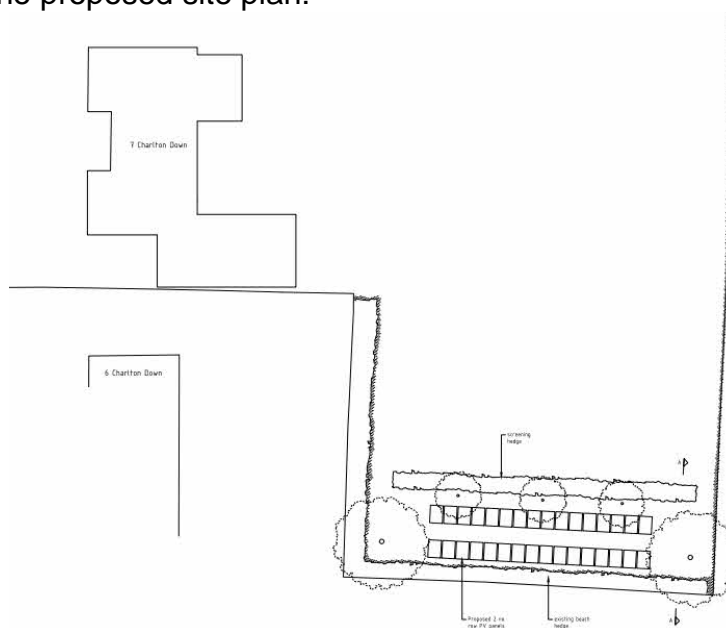
11/00893/CLEUD - Certificate of Lawfulness to establish the residential use of garden land - Allowed at Appeal 11 June 2012



Location Plan

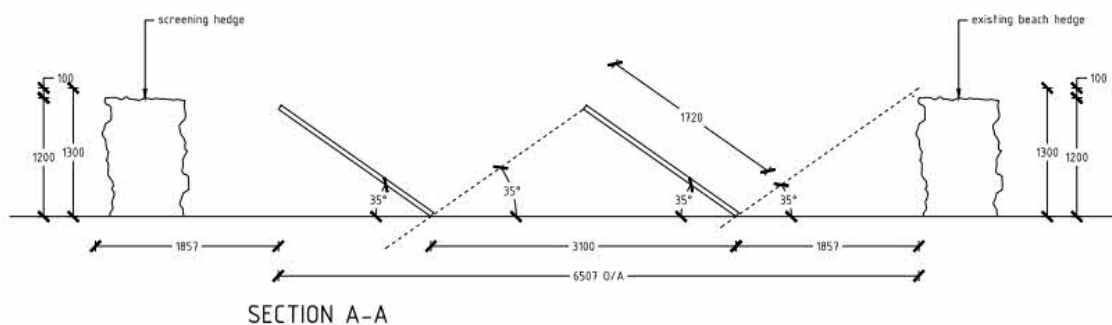
Proposed Development

The application seeks full planning permission for the installation of two rows of ground mounted solar photovoltaic (PV) panels within the curtilage of the property. The solar panels would be positioned within the south-east corner of the property as shown on the proposed site plan:



Proposed Site Plan

The individual solar PV panels measure 1899mm on the long edge by 1040mm on the short. The proposal involves the installation of 32 panels in two rows fixed to a black aluminium frame with silver support bars as shown on the Product Specification Sheet by REC. The panels would be installed at a 35degree angle as shown on the proposed section plan below.



Proposed Section Plan

The planning application is supported by the following documents and plans:-

- Planning Application form
- Biodiversity Self-Assessment Form
- Community Infrastructure Levy form
- Solar PV Panels Specification sheet by REC
- Location Plan, drawing no.01-02
- Existing Site Plan, drawing no.01-13
- Proposed Site Plan, drawing no.01-14 Rev.B
- Proposed Elevation / Site Section Plan, drawing no.01-14 Rev.B

Planning Policy Context

The National Planning Policy Framework (NPPF), and associated Planning Practice Guidance, sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, in particular the policies on meeting the 'challenge of climate change' within chapter 14.

The NPPF highlights that planning law (section 70 [2] of the Town and Country Planning Act 1990 and section 38 [6] of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan relevant to this application is the Cotswold District Local Plan (2011 to 2031) (adopted August 2018).

The development plan must be read as a whole but the following policies are of particular relevance to the proposed development:-

- Policy EN1 – Built, Natural and Historic Environment
- Policy EN2 – Design of the Built and Natural Environment
- Policy EN5 – Cotswolds Area of Outstanding Natural Beauty
- Policy EN8 – Biodiversity and Geodiversity: Features, Habitats and Species
- Policy INF10 – Renewable and Low Carbon Energy Development

Planning Assessment

The NPPF advises that Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions. It further advises applications should be approved if the impacts of the development are (or can be made) acceptable (par 163).

Policy INF10 'Renewable and Low Carbon Energy Development' of the Local Plan also provides support for the proposed development in principle, but specifies that development must be of an appropriate type, scale and design for its location and setting, and any adverse impacts can be satisfactorily mitigated.

The proposed renewable energy development involves the installation of a small scale domestic scheme, comprising two rows of low lying solar panels that will be well contained within the curtilage of the property. The panels will not be visible above the boundary hedgerows and therefore there will be no impact on wider landscape character or the natural beauty of the Cotswolds National Landscape. A new beach hedge will be installed to the north of the panels so there will be no potential for glimpsed views of the development from the Public Footpath ref.NTU24 which crosses the field to the north of the property. The proposed panels would be installed on an area of garden that is regularly mown therefore the scheme will have no harmful biodiversity or geodiversity impacts. The panels would be installed next to existing trees within the curtilage of the property, but they will not be impacted by the development.

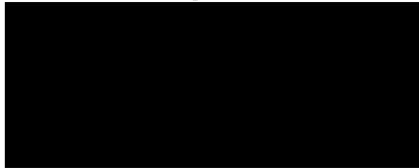
Policy EN2 'Design of the Built and Natural Environment' requires new development to be of a high quality design that accords with the Cotswold Design Code. The Design Code does not offer guidance on renewable energy schemes but does provide broad support for the use renewable energy technologies within its sustainable design section. The PV panels are designed for their purpose and will be discretely located, and enclosed by hedgerows, one end of the garden. They will not be visible from Hookshouse Lane or neighbouring properties due to their height and intervening boundary treatments. As such, there will be no adverse impact on highway safety or neighbouring amenity as a result of glint and glare. The panels will have an anti-reflective surface treatment as confirmed in the Product Specification Sheet by REC.

In light of the above, the proposed development is considered to comply with policies INF10, EN1, EN2, EN5, and EN8 of the Local Plan. It is however worth noting that Part 14 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) is dedicated to 'Renewable Energy' developments and permits the installation or alteration of stand-alone solar equipment on domestic premises. If the number of solar panels were reduced the development could be classed as 'permitted development' and could be installed without the need to obtain planning permission. However, this application presents a scheme that seeks to ensure the property becomes as sustainable as possible through the use of renewable energy without any harmful impact on the surrounding environment.

Conclusion

The proposed development would enable the generation of electricity from a renewable source which would improve the sustainability of the property and comply with the Government's climate change objectives. There would be no adverse impact on the character and appearance of the built and natural environment, the amenity of the occupiers of neighbouring properties, or the visual amenity of the users of rights of ways and roads in the surrounding area. The development would contribute towards the achievement of sustainable development and therefore it is respectfully requested that planning permission be granted.

Yours faithfully



Simon Chambers
Director

Enc

Cc Mr and Mrs Saxton